THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.11199 OF 2006

08.06.2006

Between:

Mohd. Haroon, S/o.Md.Ghouse

… Petitioner

AND

The Secretary to Government of Andhra Pradesh,
Revenue Department, Secretariat, Hyderabad
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.11199 OF 2006

ORDER:

The petitioner allegedly purchased property admeasuring Acs.1.03 guntas in survey No.164 situated at Thondupally village of Shamshabad Mandal in Ranga Reddy District under registered sale deed dated 30.7.2005. He is allegedly in possession of the property. The third respondent initiated action under A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 (the Act, for brevity) and issued notice in Form No.1 under Rule 3 of A.P. Assigned Lands (Prohibition of Transfers) Rules, 1977. The petitioner allegedly submitted explanation. Be that as it is, for the purpose of this writ petition, the petitioner alleges that though the explanation submitted by him pursuant to show cause notice is pending, on 05.6.2006 the staff of the third respondent initiated steps to evict the petitioner forcibly. Apprehending such coercive disposition, the present writ petition is filed.

I have heard the learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (General). The latter on instructions submits that after considering the explanation submitted by the petitioner, the Mandal Revenue Officer, Shamshabad (MRO) has passed resumption order dated 22.5.2006 and the land was taken possession under a cover of panchanama. These copies are produced before this Court. In that view of the matter, this Court has no strong reason to disbelieve the Assistant Government Pleader. If so advised, the petitioner may approach the MRO and obtain a copy of the resumption order in proceedings No.B/2187/2005 dated 22.05.2006 and file appeal under Section 4A of the Act. At this stage, no interference is called for.

The writ petition, for the above reason, is dismissed. No costs.

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(**V.V.S.RAO, J**)

June 08, 2006

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